



MEMORANDUM

Agenda Item No. 11(B)6

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: **October 7, 2003**

FROM: George M. Burgess
County Manager

SUBJECT: Report on Identifying
Potential Funding Sources
for Unmet Capital Needs
at Correctional Facilities

On July 8, 2003, the Board of County Commissioners approved resolution R-780-03 directing the County Manager to apply for grants and other funding for unmet capital needs at correctional facilities and to report back to the Board. The following report summarizes the efforts made by the Corrections and Rehabilitation Department (MDCR) to identify funding sources for its capital projects.

The Miami-Dade Corrections and Rehabilitation Department utilizes its Budget and Grants Management Bureau to identify federal, state or local funding for which Miami-Dade County is eligible to apply. Although there are several funding opportunities for state correctional facilities (primarily for prisons and juvenile justice facilities), historically, there have been very few for local jurisdictions. Notwithstanding the limited resources available for county correctional facilities, previous and current attempts by the Department to locate alternative sources of funding are identified below:

- The Corrections and Rehabilitation Department has applied for a continuation of funding from the United States Department of Justice's State Criminal Alien Assistance Program (SCAAP). The SCAAP program provides discretionary funding to state and local governments for costs related to the incarceration of certain criminal aliens. Through this program, the Department received \$1,093,187 for FY 1998-99, \$775,212 for FY 2000-01 and \$310,000 for FY 2001-02. Notifications regarding funding awards for FY 2002-03 have not yet been released. It is anticipated that grant awards to jurisdictions may be significantly reduced for FY 2002-03 as SCAAP funding has been reduced by 50%. SCAAP program funding to state and local governments have been reduced over the past two years at the federal level, consequently Miami-Dade County's allocations has also been reduced.
- The Department also receives revenues from the Social Security Administration (SSA) Incentive Payment Program. This program reimburses correctional facilities for information regarding inmates whose benefits should be suspended during their period of incarceration. Through this program, the Department received \$109,641 for FY 2000-01, \$332,800 for FY 2001-02 and \$224,000 for FY 2002-03 (through August 2003).
- Subsequent to discussions with the United States Marshals Service (USMS), the Department has submitted a letter of intent to apply for Cooperative Agreement Program (CAP) funding to be used for capital improvements at the Pretrial Detention Center. CAP funding is available to local jurisdictions for capital enhancements to jails, and the eligibility to apply

for funding is contingent on Miami-Dade County providing bed space to USMS inmates. Although there are no CAP funds available for FY 2002-03 the Department is hopeful that it may receive funding in FY 2003-04.

- The Department has also discussed its eligibility for CAP funding with the Bureau of Immigration and Customs Enforcement (BICE), formerly the Immigration and Naturalization Service. BICE has advised the Department that once the County enters into an Intergovernmental Services Agreement (IGSA) with BICE for the housing of criminal aliens, the County will be eligible to apply for CAP funding. Currently, though, undocumented criminal aliens are housed in the County's detention facilities based on a modification to the IGSA between the County and USMS. The Department is in the process of preparing the necessary documentation to develop a IGSA between the County and BICE. The Department anticipates that the proposed IGSA will be submitted to the Board for adoption in the first quarter of FY 2003-04.
- The Department's IGSA with BICE will potentially increase bed space available for BICE criminal aliens, and thereby create a net benefit to the Department's budget. Additional revenues from BICE would be earmarked for unmet capital needs, as has been done in the past years. Due to general fund shortages, increasingly, special operating funds have been used to reimburse the general fund, effectively eliminating the availability of this funding for capital improvements. Additional alternative resources will be explored to increase available revenues.
- The Corrections department is working closely with the Office of Management and Budget (OMB) grant coordinators and the Office of Homeland Security (OHS) to locate potential funding sources, including federal and state grants and appropriations. The department has recently assigned an administrative employee the additional responsibility of grant coordination. This includes coordination with OMB and OHS as well as independently researching funding opportunities from governmental agencies, such as the Florida Department of Law Enforcement (FDLE) and the Department of Justice and Bureau of Prisons, as well as other organizations, such as the National Institute of Corrections (N.I.C.) and the American Correctional Association (ACA). However, new sources of revenue available to fund capital projects have not yet been identified.
- The list of unfunded capital projects have been included for consideration as part of the County's proposed general obligation bond.

Although funding from the SCAAP and SSA programs has been used for capital projects, these resources are very limited and program distributions at current levels are not guaranteed. I have directed the Department to continue to seek potential funding sources to address unmet capital needs in their correctional facilities for the short-term, as we look at fully developing the general obligation bond to possibly address their long-term needs.